

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 05-cv-11652

John D. Cerqueira

v.

American Airlines, Inc.

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered: 1-92, 94-103, 108, 109, 111-153

and contained in I-IV Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 5/7/2007.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on May 25, 2007.

By:



Receipt of the documents in the above entitled case is hereby acknowledged this date: 5/25/07.


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:05-cv-11652-WGY
Internal Use Only**

Cerqueira v. American Airlines, Inc. et al
Assigned to: Judge William G. Young
Cause: 42:2000 Job Discrimination (Public
Accommodations)

Date Filed: 08/09/2005
Date Terminated: 01/16/2007
Jury Demand: Both
Nature of Suit: 443 Civil Rights:
Accommodations
Jurisdiction: Federal Question

Plaintiff

John D. Cerqueira

represented by **Darleen F. Cantelo**
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TERMINATED: 11/22/2006
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V.

Defendant

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Defendant

Deliah Doe
The Ticket Agent

Defendant

Nicole Doe
The Ticket Counter Supervisor

Defendant

J. Doe 2
The Flight Attendant

Defendant


John Doe 1
The Captain

Mediator

Mag. Judge Robert B. Collings
TERMINATED: 07/31/2006

Mediator

**Magistrate Judge Judith Gail
Dein**
TERMINATED: 11/07/2006

Date Filed	#	Docket Text
08/09/2005	 1	COMPLAINT against all defendants Filing fee: \$ 250, receipt

		number 66144, filed by John D. Cerqueira. (Attachments: # (1) Civil Cover Sheet)(Bell, Marie) (Entered: 08/10/2005)
08/09/2005	●	Summons Issued as to Deliah Doe, Nicole Doe, J. Doe 2, John Doe 1, American Airlines, Inc.. (Bell, Marie) (Entered: 08/10/2005)
08/09/2005	●	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Alexander. (Bell, Marie) (Entered: 08/10/2005)
08/25/2005	2	MOTION for Leave to Appear Pro Hac Vice by Michael T. Kirkpatrick by John D. Cerqueira. (Attachments: # 1)(Godkin, David) (Entered: 08/25/2005)
08/26/2005	●	Filing fee: \$ 50.00, receipt number 66495 regarding Motion Pro Hac Vice (Bell, Marie) (Entered: 08/30/2005)
09/13/2005	●	Judge William G. Young : Electronic ORDER entered granting 2 Motion for Leave to Appear Pro Hac Vice Added Michael T. Kirkpatrick for John D. Cerqueira. cc/cl. (Bell, Marie) (Entered: 09/13/2005)
09/20/2005	3	AMENDED COMPLAINT against American Airlines, Inc., filed by John D. Cerqueira.(Godkin, David) (Entered: 09/20/2005)
09/22/2005	4	SUMMONS Returned Executed American Airlines, Inc. served on 9/19/2005, answer due 10/11/2005. (Bell, Marie) (Entered: 09/26/2005)
09/30/2005	5	ANSWER to Amended Complaint by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 09/30/2005)
11/10/2005	6	NOTICE of Scheduling Conference Scheduling Conference set for 12/19/2005 02:00 PM in Courtroom 18 before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 11/10/2005)
12/09/2005	7	NOTICE of Appearance by Anne-Marie H. Gerber on behalf of American Airlines, Inc. (Gerber, Anne-Marie) (Entered: 12/09/2005)
12/12/2005	8	JOINT STATEMENT re scheduling conference. (Recht, Erica) (Entered: 12/12/2005)
12/16/2005	9	CERTIFICATE OF CONSULTATION Pursuant to Local Rule 16.1(d)(3) by Michael A. Fitzhugh on behalf of American

		Airlines, Inc.. (Fitzhugh, Michael) (Entered: 12/16/2005)
12/19/2005	●	ElectronicClerk's Notes for proceedings held before Judge WilliamThe Court explains the requirements of the session and inquires as to whether th e parties want to proceed before a Magistrate Judge. Parties decline. The case is to go to ADR as of SEPT., 06. Final Pretrial Conference set for NO SOONER THAN 12/4/2006 02:00 PM before Chief Judge William G. Young. Jury Trial set for RUNNING TRIAL LIST AS OF 1/2/2007 09:00 AM before Chief Judge William G. Young. (Smith, Bonnie) (Entered: 12/20/2005)
12/20/2005	●	Judge William G. Young : Electronic ORDER entered. re 8 JOINT STATEMENT re scheduling conference Discovery to be completed by 7/28/2006. Dispositive Motions due by 10/1/2006. Responses are due as set forth in the Local Rules. (Smith, Bonnie) (Entered: 12/20/2005)
02/08/2006	● <u>10</u>	Joint MOTION for Protective Order by John D. Cerqueira. (Recht, Erica) Additional attachment(s) added on 2/10/2006 (Paine, Matthew). Additional attachment(s) added on 2/10/2006 (Paine, Matthew). Additional attachment(s) added on 2/10/2006 (Paine, Matthew). (Entered: 02/08/2006)
02/10/2006	●	Notice of correction to docket made by Court staff. Joint Motion for Protective Order <u>10</u> was Filed with a Proposed Order, which was Not Signed by the Attorney's. A New Order was Submitted by the Attorney's and Added to the Docket. (Paine, Matthew) (Entered: 02/10/2006)
02/10/2006	● <u>11</u>	Judge William G. Young : ORDER entered: granting <u>10</u> Joint Motion for Entry of Protective Order. (Paine, Matthew) (Entered: 02/15/2006)
03/14/2006	● <u>12</u>	Assented to MOTION for Order to Take Examination of Plaintiff Pursuant to Fed.R.Civ.P. 35(a) by American Airlines, Inc..(Mariani, Amy) (Entered: 03/14/2006)
03/15/2006	●	Judge William G. Young : Electronic ORDER entered GRANTING <u>12</u> Motion (Assented To) for Order to Take Examination of Plaintiff Purusant Fed.R.Civ.P. 35(a). (Paine, Matthew) (Entered: 03/15/2006)
07/13/2006	● <u>13</u>	REFERRING CASE to Alternative Dispute Resolution.(Paine, Matthew) (Entered: 07/13/2006)
07/20/2006	●	Electronic Notice of assignment to ADR Provider. Magistrate

		Judge Robert B. Collings appointed. The Court will contact counsel with regard to scheduling.(Tyler, Rebecca) (Entered: 07/20/2006)
07/24/2006	●	E-Mail Notice returned as undeliverable. Name of Addressee: Anne Marie Gerber. The CM/ECF Help Desk has contacted the law firm, who advised that this attorney is no longer employed at the firm. The attorney's email address has been removed from the database to prevent the return of additional undeliverable email notices. (Hurley, Virginia) (Entered: 07/24/2006)
07/31/2006	●	Electronic Notice of re-assignment to ADR Provider. This matter is no longer referred to Magistrate Judge Collings for mediation. Magistrate Judge Judith Gail Dein appointed. The Court will contact counsel with regard to scheduling.(Tyler, Rebecca) (Entered: 07/31/2006)
08/04/2006	●14	NOTICE of and ORDER regarding ADR Conference:Mediation set for 9/27/2006 10:00 AM in Courtroom 15 before Magistrate Judge Judith G. Dein. (Dambrosio, Jolyne) (Entered: 08/04/2006)
08/22/2006	●15	MOTION for Summary Judgment by American Airlines, Inc.. (Mariani, Amy) (Entered: 08/22/2006)
08/22/2006	●16	MEMORANDUM in Support re <u>15</u> MOTION for Summary Judgment filed by American Airlines, Inc.. (Mariani, Amy) (Entered: 08/22/2006)
08/22/2006	●17	Statement of Material Facts L.R. 56.1 re <u>15</u> MOTION for Summary Judgment filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B(1)# <u>3</u> Exhibit B(2)# <u>4</u> Exhibit C# <u>5</u> Exhibit D# <u>6</u> Exhibit E# <u>7</u> Exhibit F# <u>8</u> Exhibit G# <u>9</u> Exhibit H# <u>10</u> Exhibit I# <u>11</u> Exhibit J)(Mariani, Amy) Modified on 8/25/2006 to restrict access to Exhibits B and C which contain confidential information at request of Atty. Mariani. Exhibits restricted to case participants and court. (Costello, Helen). (Entered: 08/22/2006)
08/24/2006	●18	Joint MOTION for Extension of Time to 10/18/06 to File Response/Reply as to <u>15</u> MOTION for Summary Judgment <i>To Permit The Parties To Enter Into Mediation</i> by John D. Cerqueira.(Godkin, David) (Entered: 08/24/2006)
08/28/2006	●19	Joint MOTION to Seal <i>Exhibits to Statement of Undisputed</i>

		<i>Facts in Support of Defendant's Motion for Summary Judgment</i> by American Airlines, Inc..(Mariani, Amy) (Entered: 08/28/2006)
08/29/2006	●	Judge William G. Young : Electronic ORDER entered granting <u>18</u> Motion for Extension of Time to File Response/Reply re <u>15</u> MOTION for Summary Judgment Responses due by 10/18/2006 (Smith, Bonnie) (Entered: 08/29/2006)
09/22/2006	● <u>20</u>	MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> by John D. Cerqueira.(Kirkpatrick, Michael) (Entered: 09/22/2006)
09/22/2006	● <u>21</u>	MEMORANDUM in Support re <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> filed by John D. Cerqueira. (Kirkpatrick, Michael) (Entered: 09/22/2006)
09/22/2006	● <u>22</u>	Statement of Material Facts L.R. 56.1 re <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> filed by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit # <u>6</u> Exhibit # <u>7</u> Exhibit # <u>8</u> Exhibit # <u>9</u> Exhibit # <u>10</u> Exhibit # <u>11</u> Exhibit # <u>12</u> Exhibit # <u>13</u> Exhibit)(Kirkpatrick, Michael) (Entered: 09/22/2006)
09/28/2006	● <u>23</u>	Assented to MOTION for Extension of Time to October 18, 2006 to File Response/Reply as to <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> by American Airlines, Inc..(Mariani, Amy) (Entered: 09/28/2006)
09/28/2006	● <u>24</u>	REPORT of Alternative Dispute Resolution Provider. (Dambrosio, Jolyne) (Entered: 09/28/2006)
09/29/2006	●	Judge William G. Young : Electronic ORDER entered GRANTING <u>23</u> Assented to MOTION for Extension of Time to October 18, 2006 to File Response/Reply as to <u>20</u> MOTION for Partial Summary Judgment and Request for Oral Argument (Paine, Matthew) (Entered: 09/29/2006)
10/04/2006	● <u>25</u>	MOTION to Strike <i>Defendant's Expert Disclosure Served Out of Time</i> by John D. Cerqueira.(Kirkpatrick, Michael) (Entered: 10/04/2006)
10/04/2006	● <u>26</u>	MEMORANDUM in Support re <u>25</u> MOTION to Strike <i>Defendant's Expert Disclosure Served Out of Time</i> filed by

		John D. Cerqueira. (Attachments: # <u>1</u> Exhibit One# <u>2</u> Exhibit Two)(Kirkpatrick, Michael) (Entered: 10/04/2006)
10/05/2006	<u>27</u>	Opposition re <u>25</u> MOTION to Strike <i>Defendant's Expert Disclosure Served Out of Time</i> filed by American Airlines, Inc.. (Mariani, Amy) (Entered: 10/05/2006)
10/05/2006	<u>28</u>	MOTION for Extension of Time to A Date Subsequent to April 2, 2007 to Schedule Pretrial Conference and Trial Ready Dates <i>Due to Trial Co-Counsel's Pregnancy</i> by American Airlines, Inc..(Mariani, Amy) (Entered: 10/05/2006)
10/06/2006	<u>29</u>	NOTICE of Appearance by Darleen F. Cantelo on behalf of John D. Cerqueira (Cantelo, Darleen) (Entered: 10/06/2006)
10/11/2006		Judge William G. Young : Electronic ORDER entered denying <u>25</u> Motion to Strike <u>25</u> MOTION to Strike <i>Defendant's Expert Disclosure Served Out of Time</i> , <u>28</u> MOTION for Extension of Time to A Date Subsequent to April 2, 2007 to Schedule Pretrial Conference and Trial Ready Dates <i>Due to Trial Co-Counsel's Pregnancy</i> , denying <u>28</u> Motion for Extension of Time (Smith, Bonnie) (Entered: 10/11/2006)
10/18/2006	<u>30</u>	Opposition re <u>15</u> MOTION for Summary Judgment filed by John D. Cerqueira. (Kirkpatrick, Michael) (Entered: 10/18/2006)
10/18/2006	<u>31</u>	Counter Statement of Material Facts L.R. 56.1 re <u>15</u> MOTION for Summary Judgment <i>Plaintiff's Response to Defendant's Statement of Facts</i> filed by John D. Cerqueira. (Kirkpatrick, Michael) (Entered: 10/18/2006)
10/18/2006	<u>32</u>	Opposition re <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> filed by American Airlines, Inc.. (Mariani, Amy) (Entered: 10/18/2006)
10/18/2006	<u>33</u>	Statement of Material Facts L.R. 56.1 re <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument In Support of Defendant's Opposition to Plaintiff's Motion for Partial Summary Judgment</i> filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Mariani, Amy) (Entered: 10/18/2006)
10/18/2006	<u>34</u>	Counter Statement of Material Facts L.R. 56.1 re <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit

		F)(Mariani, Amy) (Entered: 10/18/2006)
10/19/2006	●	ELECTRONIC NOTICE of Hearing on Motion <u>15</u> MOTION for Summary Judgment, <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> : Motion Hearing set for 11/16/2006 02:00 PM in Courtroom 18 before Judge William G. Young. Reply briefs if any are to be filed by Nov.1, 2007(Smith, Bonnie) (Entered: 10/19/2006)
10/25/2006	●35	MOTION for Reconsideration re <u>28</u> MOTION for Extension of Time to A Date Subsequent to April 2, 2007 to Schedule Pretrial Conference and Trial Ready Dates <i>Due to Trial Co-Counsel's Pregnancy</i> by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Mariani, Amy) (Entered: 10/25/2006)
10/30/2006	●	Judge William G. Young : Electronic ORDER entered DENYING <u>35</u> Motion for Reconsideration. (Paine, Matthew) (Entered: 10/30/2006)
11/01/2006	●36	REPLY to Response to Motion re <u>15</u> MOTION for Summary Judgment filed by American Airlines, Inc.. (Mariani, Amy) (Entered: 11/01/2006)
11/01/2006	●37	REPLY to Response to Motion re <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> filed by John D. Cerqueira. (Kirkpatrick, Michael) (Entered: 11/01/2006)
11/01/2006	●38	Statement of Material Facts L.R. 56.1 re <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument Plaintiff's Response to Defendant's Opposition Statement of Facts 33</i> filed by John D. Cerqueira. (Kirkpatrick, Michael) (Entered: 11/01/2006)
11/03/2006	●39	Disclosure pursuant to Rule 26 by John D. Cerqueira. (Kirkpatrick, Michael) (Entered: 11/03/2006)
11/03/2006	●40	Disclosure pursuant to Rule 26 by American Airlines, Inc.. (Mariani, Amy) (Entered: 11/03/2006)
11/06/2006	●	Notice of correction to docket made by Court staff. The Previous Docket Entry (41), Pretrial Memorandum, Was Deleted From the Docket as it Was Filed in Error. (Paine, Matthew) (Entered: 11/06/2006)
11/07/2006	●41	FURTHER REPORT of Alternative Dispute Resolution

		Provider. (Dambrosio, Jolyne) (Entered: 11/07/2006)
11/16/2006	42	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Pltf's attorney Kirkpatrick and Dft attorney Mariani are present in the courtroom.Motion Hearing held on 11/16/2006 re <u>15</u> MOTION for Summary Judgment filed by American Airlines, Inc.,, <u>20</u> MOTION for Partial Summary Judgment <i>and Request for Oral Argument</i> filed by John D. Cerqueira,. After hearing the Court takes the matter UNDER ADVISEMENT. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 11/16/2006)
11/17/2006	42	First MOTION in Limine <i>to preclude defendant from contradicting its judicial admission that plaintiff boarded when his assigned group was called by John D. Cerqueira.</i> (Kirkpatrick, Michael) (Entered: 11/17/2006)
11/17/2006	43	Second MOTION in Limine <i>to preclude defendant from contradicting its judicial admission that Capt. John Ehlers made the decision to have plaintiff removed from flight 2237 by John D. Cerqueira.</i> (Attachments: # <u>1</u> Exhibit One# <u>2</u> Exhibit Two# <u>3</u> Exhibit Three# <u>4</u> Exhibit Four# <u>5</u> Exhibit Five)(Kirkpatrick, Michael) (Entered: 11/17/2006)
11/17/2006	44	Third MOTION in Limine <i>to preclude defendant from contradicting its judicial admission that defendant is a recipient of federal financial assistance or from contending that it is not subject to Title VI</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit One)(Kirkpatrick, Michael) (Entered: 11/17/2006)
11/17/2006	45	Fourth MOTION in Limine <i>to preclude defendant from offering speculation about possible bases for its refusal to rebook Mr. Cerqueira</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit One# <u>2</u> Exhibit Two# <u>3</u> Exhibit Three# <u>4</u> Exhibit Four) (Kirkpatrick, Michael) (Entered: 11/17/2006)
11/17/2006	46	Fifth MOTION in Limine <i>to exclude any reference to facts or circumstances that arose with regard to flight 2237 after Mr. Cerqueira was removed</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit One# <u>2</u> Exhibit Two)(Kirkpatrick, Michael) (Entered: 11/17/2006)
11/17/2006	47	Sixth MOTION in Limine <i>to exclude any reference to policies, protocols, or training materials that have not been produced in discovery, including those withheld pending a determination of</i>

		<i>whether they contain sensitive security information</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit One)(Kirkpatrick, Michael) (Entered: 11/17/2006)
11/17/2006	<u>48</u>	Seventh MOTION in Limine <i>to preclude defendant from arguing to the jury that allegedly unusual behavior by other passengers can justify defendant's treatment of Mr. Cerqueira</i> by John D. Cerqueira.(Kirkpatrick, Michael) (Entered: 11/17/2006)
11/17/2006	<u>49</u>	Eighth MOTION in Limine <i>to exclude testimony of John Beardslee</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit One# <u>2</u> Exhibit Two)(Kirkpatrick, Michael) (Entered: 11/17/2006)
11/20/2006	<u>50</u>	MOTION in Limine <i>to Exclude Deposition Testimony of Barry Blumenthal and Richard Faulk</i> by American Airlines, Inc.: (Mariani, Amy) (Entered: 11/20/2006)
11/20/2006	<u>51</u>	MOTION in Limine <i>To Exclude Document</i> by American Airlines, Inc..(Mariani, Amy) (Entered: 11/20/2006)
11/20/2006	<u>52</u>	MOTION in Limine <i>to Exclude Testimony of Plaintiff's Expert, Douglas Laird</i> by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Mariani, Amy) (Entered: 11/20/2006)
11/20/2006	<u>53</u>	MOTION in Limine <i>to Exclude Evidence of DOT Proceedings and Consent Order</i> by American Airlines, Inc..(Mariani, Amy) (Entered: 11/20/2006)
11/21/2006	<u>54</u>	NOTICE of Withdrawal of Appearance by Erica B. Abate Recht (Recht, Erica) (Entered: 11/21/2006)
11/21/2006	<u>55</u>	MOTION To Move Trial Ready Date to January 4, 2007 Due to Jury Selection In Another Trial and to Refrain From Calling Matter to Trial Between January 16, 2007 and February 1, 2007 by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A) (Mariani, Amy) (Entered: 11/21/2006)
11/22/2006	<u>56</u>	Judge William G. Young : ORDER entered. "American's Motion for Summary Judgment Doc. No. <u>15</u> is DENIED. Cerqueira's Cross-Motion for Partial Summary Judgment Doc. No. <u>20</u> is also DENIED." (Paine, Matthew) (Entered: 11/22/2006)
11/22/2006		Judge William G. Young : Electronic ORDER entered re <u>55</u> MOTION To Move Trial Ready Date to January 4, 2007 Due

		to Jury Selection In Another Trial and to Refrain From Calling Matter to Trial Between January 16, 2007 and February 1, 2007. "Motion ALLOWED IN PART. Mr. Fitzhugh May Attend on the United States District Court for the District of Vermont on January 3, 2007. Our Case Will Conclude Before January 16, 2007." (Paine, Matthew) (Entered: 11/22/2006)
11/27/2006	<u>57</u>	PRETRIAL MEMORANDUM by John D. Cerqueira, American Airlines, Inc.. (Kirkpatrick, Michael) (Entered: 11/27/2006)
11/28/2006	<u>58</u>	Judge William G. Young : ORDER entered. Returning (Copy) Defendant's Motion in Limine to Exclude Deposition Testimony of Barry Blumenthal and Richard Faulk w/ attached Confidential Exhibits to Melissa Wangenheim - Paralegal for Fitzhugh, Parker & Alvaro LLP. (Paine, Matthew) (Entered: 11/28/2006)
11/28/2006	<u>59</u>	Judge William G. Young : ORDER entered. PROCEDURAL ORDER re pretrial/trial Final Pretrial Conference set for 12/12/2006 02:00 PM in Courtroom 18 before Judge William G. Young.(Smith, Bonnie) (Entered: 11/28/2006)
11/29/2006	<u>60</u>	Amended MOTION in Limine <i>To Exclude Testimony Of Barry Blumenthal and Richard Faulk, corrected per the Court's Order on November 28, 2006</i> by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Mariani, Amy) (Entered: 11/29/2006)
11/30/2006	<u>61</u>	Opposition re <u>42</u> First MOTION in Limine <i>to preclude defendant from contradicting its judicial admission that plaintiff boarded when his assigned group was called</i> filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Mariani, Amy) (Entered: 11/30/2006)
11/30/2006	<u>62</u>	Opposition re <u>43</u> Second MOTION in Limine <i>to preclude defendant from contradicting its judicial admission that Capt. John Ehlers made the decision to have plaintiff removed from flight 2237</i> filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D)(Mariani, Amy) (Entered: 11/30/2006)
11/30/2006	<u>63</u>	Opposition re <u>44</u> Third MOTION in Limine <i>to preclude defendant from contradicting its judicial admission that defendant is a recipient of federal financial assistance or from contending that it is not subject to Title VI</i> filed by American

		Airlines, Inc.. (Mariani, Amy) (Entered: 11/30/2006)
11/30/2006	<u>64</u>	Opposition re <u>45</u> Fourth MOTION in Limine <i>to preclude defendant from offering speculation about possible bases for its refusal to rebook Mr. Cerqueira</i> filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Mariani, Amy) (Entered: 11/30/2006)
11/30/2006	<u>65</u>	Opposition re <u>46</u> Fifth MOTION in Limine <i>to exclude any reference to facts or circumstances that arose with regard to flight 2237 after Mr. Cerqueira was removed</i> filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Mariani, Amy) (Entered: 11/30/2006)
11/30/2006	<u>66</u>	Opposition re <u>47</u> Sixth MOTION in Limine <i>to exclude any reference to policies, protocols, or training materials that have not been produced in discovery, including those withheld pending a determination of whether they contain sensitive security information</i> filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A)(Mariani, Amy) (Entered: 11/30/2006)
11/30/2006	<u>67</u>	Opposition re <u>48</u> Seventh MOTION in Limine <i>to preclude defendant from arguing to the jury that allegedly unusual behavior by other passengers can justify defendant's treatment of Mr. Cerqueira</i> filed by American Airlines, Inc.. (Mariani, Amy) (Entered: 11/30/2006)
11/30/2006	<u>68</u>	Opposition re <u>49</u> Eighth MOTION in Limine <i>to exclude testimony of John Beardslee</i> filed by American Airlines, Inc.. (Mariani, Amy) (Entered: 11/30/2006)
12/04/2006	<u>69</u>	Opposition re <u>53</u> MOTION in Limine <i>to Exclude Evidence of DOT Proceedings and Consent Order</i> filed by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Cantelo, Darleen) (Entered: 12/04/2006)
12/04/2006	<u>70</u>	Opposition re <u>52</u> MOTION in Limine <i>to Exclude Testimony of Plaintiff's Expert, Douglas Laird</i> filed by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit A)(Cantelo, Darleen) (Entered: 12/04/2006)
12/04/2006	<u>71</u>	Opposition re <u>51</u> MOTION in Limine <i>To Exclude Document</i> filed by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit A) (Cantelo, Darleen) (Entered: 12/04/2006)
12/04/2006	<u>72</u>	Opposition re <u>50</u> MOTION in Limine <i>to Exclude Deposition</i>

		<i>Testimony of Barry Blumenthal and Richard Faulk</i> filed by John D. Cerqueira. (Cantelo, Darleen) (Entered: 12/04/2006)
12/08/2006	●	Judge William G. Young : Electronic ORDER entered. Motions terminated: <u>52</u> MOTION in Limine <i>to Exclude Testimony of Plaintiff's Expert, Douglas Laird</i> filed by American Airlines, Inc., ALLOWED as to the opinions expressed as nos.1-3 on page 5 of this barebones report. This report,quite simply, cannot support these conclusions. They are simply ad hominem expressions. It may be that Mr. Laird has some probative testimony to give in this case. The parties are reminded that NO expert will be allowed to testify to anything not expressly set forth in the expert report., <u>51</u> MOTION in Limine <i>To Exclude Document</i> filed by American Airlines, Inc., MOTIN DENIED.(Smith, Bonnie) (Entered: 12/08/2006)
12/08/2006	●	Judge William G. Young : Electronic ORDER entered. Motions terminated: <u>50</u> MOTION in Limine <i>to Exclude Deposition Testimony of Barry Blumenthal and Richard Faulk</i> filed by American Airlines, Inc.,Motin DENIED without prejudice to its renewal accompanied by deposition transcripts designating the portions to be offered in evidence. These are NOT confidential.(Smith, Bonnie) (Entered: 12/08/2006)
12/11/2006	●73	NOTICE by John D. Cerqueira, American Airlines, Inc. re <u>57</u> Pretrial Memorandum, <u>59</u> Procedural Order re pretrial/trial <i>Notice and Supplement</i> (Kirkpatrick, Michael) (Entered: 12/11/2006)
12/12/2006	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : David Godkin for the Plaintiff and Michael Fitzhugh for the defendant are present.Final Pretrial Conference held on 12/12/2006. Court inquires as to settlement. Plaintiff has made its demand and defendant has made an offer. Jury trial set for Jan 2 at 9AM. Jury trial schedule as follows: 1/2,1/4,1/8-1/12. Court explains trial procedures to counsel, including empanelment of 12 jurors. Defendant requests notification by the plaintiff of those witnesses that reside in Dallas. Court requires counsel to work it out. Plaintiff inquires as to the use of chalks in opening. Court allows the chalks. (Smith, Bonnie) (Entered: 12/13/2006)
12/13/2006	●	Judge William G. Young : Electronic ORDER entered GRANTING re <u>44</u> Third MOTION in Limine to preclude

		defendant from contradicting its judicial admission that defendant is a recipient of federal financial assistance or from contending that it is not subject to Title VI. (Paine, Matthew) (Entered: 12/13/2006)
12/13/2006	●	Judge William G. Young : Electronic ORDER entered DENYING Without Prejudice to its Renewal at Trial re <u>45</u> Fourth MOTION in Limine to preclude defendant from offering speculation about possible bases for its refusal to rebook Mr. Cerqueira. (Paine, Matthew) (Entered: 12/13/2006)
12/13/2006	●	Judge William G. Young : Electronic ORDER entered DENYING Without Prejudice to its Renewal at Trial re <u>46</u> Fifth MOTION in Limine to exclude any reference to facts or circumstances that arose with regard to flight 2237 after Mr. Cerqueira was Removed. (Paine, Matthew) (Entered: 12/13/2006)
12/13/2006	●	Judge William G. Young : Electronic ORDER entered GRANTING re <u>47</u> Sixth MOTION in Limine to exclude any reference to policies, protocols, or training materials that have not been produced in discovery, including those withheld pending a determination of whether they contain sensitive security information. (Paine, Matthew) (Entered: 12/13/2006)
12/13/2006	●	Judge William G. Young : Electronic ORDER entered DENYING re <u>48</u> Seventh MOTION in Limine to preclude defendant from arguing to the jury that allegedly unusual behavior by other passengers can justify defendant's treatment of Mr. Cerqueira. (Paine, Matthew) (Entered: 12/13/2006)
12/13/2006	●	Judge William G. Young : Electronic ORDER entered re <u>49</u> Eighth MOTION in Limine to exclude testimony of John Beardslee. "Motion ALLOWED to the Extent of Excluding Any Opinions that the Plaintiff's Expert is Not Allowed to Give. Motion Otherwise DENIED Without Prejudice to its Renewal During Trial." (Paine, Matthew) (Entered: 12/13/2006)
12/13/2006	●	Judge William G. Young : Electronic ORDER entered DENYING re <u>60</u> Amended MOTION in Limine To Exclude Testimony Of Barry Blumenthal and Richard Faulk, corrected per the Court's Order on November 28, 2006. (Paine, Matthew) (Entered: 12/13/2006)
12/14/2006	● <u>74</u>	MOTION for Clarification re Order on Motion in Limine, <i>and</i>

		<i>for Reconsideration of Order Granting Plaintiff's Sixth Motion in Limine</i> by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L)(Mariani, Amy) (Entered: 12/14/2006)
12/18/2006	<u>75</u>	MEMORANDUM in Opposition re <u>74</u> MOTION for Clarification re Order on Motion in Limine, <i>and for Reconsideration of Order Granting Plaintiff's Sixth Motion in Limine</i> filed by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Kirkpatrick, Michael) (Entered: 12/18/2006)
12/19/2006	<u>76</u>	MOTION To Re-Schedule Trial Date from January 4, 2007 to January 3, 2007 Due to Jury Selection on January 4, 2007 Before the U.S. District Court in Vermont by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A)(Fitzhugh, Michael) (Entered: 12/19/2006)
12/20/2006		Judge William G. Young : Electronic ORDER entered GRANTING re <u>76</u> Motion MOTION To Re-Schedule Trial Date from January 4, 2007 to January 3, 2007 Due to Jury Selection on January 4, 2007 Before the U.S. District Court in Vermont. (Paine, Matthew) (Entered: 12/20/2006)
12/28/2006	<u>77</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Alec Bramlett by American Airlines, Inc..(Mariani, Amy) (Entered: 12/28/2006)
12/28/2006	<u>78</u>	Proposed Jury Instructions by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 12/28/2006)
12/28/2006	<u>79</u>	Proposed Voir Dire by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 12/28/2006)
12/28/2006	<u>80</u>	Proposed Jury Verdict by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 12/28/2006)
12/28/2006	<u>81</u>	TRIAL BRIEF <i>Pre-Trial Charge</i> by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 12/28/2006)
12/28/2006		Filing fee: \$ 50.00, receipt number 77291 for <u>77</u> MOTION for Leave to Appear Pro Hac Vice for admission of Alec Bramlett (Paine, Matthew) (Entered: 12/29/2006)
12/29/2006	<u>82</u>	TRIAL BRIEF <i>with Amended Exhibit Lists</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit Amended Exhibit Lists)

		(Kirkpatrick, Michael) (Entered: 12/29/2006)
12/29/2006	<u>83</u>	Proposed Jury Instructions by John D. Cerqueira. (Godkin, David) (Entered: 12/29/2006)
12/29/2006	<u>84</u>	TRIAL BRIEF <i>Proposed Pretrial Charge</i> by John D. Cerqueira. (Godkin, David) (Entered: 12/29/2006)
12/29/2006	<u>85</u>	Proposed Voir Dire by John D. Cerqueira. (Godkin, David) (Entered: 12/29/2006)
12/29/2006	<u>86</u>	Proposed Jury Verdict by John D. Cerqueira. (Godkin, David) (Entered: 12/29/2006)
12/29/2006		Judge William G. Young : Electronic ORDER entered GRANTING <u>77</u> Motion for Leave to Appear Pro Hac Vice. Added Alec Bramlett for American Airlines, Inc. (Paine, Matthew) (Entered: 12/29/2006)
12/29/2006	<u>87</u>	TRIAL BRIEF by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A)(Fitzhugh, Michael) (Entered: 12/29/2006)
01/03/2007	<u>88</u>	TRIAL BRIEF <i>Motion to Sequester</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/03/2007)
01/03/2007	<u>89</u>	Letter/request (non-motion) from David S. Godkin. (Paine, Matthew) (Entered: 01/03/2007)
01/03/2007		ElectronicClerk's Notes for proceedings held before Judge William G. Young : Plaintiff counsel Godkin and Defense counsel Fitzhugh are present. Pretrial conference prior to jury selection. The Court makes evidentiary rulings.Jury Trial Day 1 held on 1/3/2007. Voir dire of the venire. Jury of 12 selected and Sworn. Court gives pretrial charge. Plaintiff's opening remarks. Defendant's opening remarks. Plaintiff's evidence commences. Hearing out of presence of the jury re: 2 jurors. Two jurors(Sullivan and Peters) are excused from service. The case will proceed with a jury of 10. Case to resume Mon. Jan. 8,2007 at 9AM. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 01/04/2007)
01/04/2007	<u>90</u>	MOTION to Sequester by John D. Cerqueira.(Godkin, David) (Entered: 01/04/2007)
01/04/2007		Notice of correction to docket made by Court staff. Correction: <u>88</u> Trial Brief corrected because: The Trial Brief Was File Under the Wrong CM/ECF Event and Was Actually a Motion to Sequester. Please Refer to Docket Entry <u>90</u> for the Correct

		Motion to Sequester. (Paine, Matthew) (Entered: 01/04/2007)
01/04/2007	●	Judge William G. Young : Electronic ORDER entered GRANTING <u>90</u> Motion to Sequester (Paine, Matthew) (Entered: 01/04/2007)
01/04/2007	● <u>91</u>	TRANSCRIPT of Proceedings held on 1/3/07 before Judge Young. Court Reporter: Womack. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter womack@megatran.com or the Clerk's Office. (Smith, Bonnie) (Entered: 01/04/2007)
01/04/2007	● <u>92</u>	NOTICE by John D. Cerqueira of <i>Intent to Use Testimony of Witnesses</i> (Godkin, David) (Entered: 01/04/2007)
01/05/2007	● <u>93</u>	TRANSCRIPT of Proceedings held on 1/3/07 before Judge Young. Court Reporter: Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith, Bonnie) (Entered: 01/05/2007)
01/07/2007	● <u>94</u>	MOTION in Limine <i>To Preclude All Evidence Relating to the Finding of Probable Cause by the MCAD</i> by American Airlines, Inc..(Fitzhugh, Michael) (Entered: 01/07/2007)
01/07/2007	● <u>95</u>	MOTION for Reconsideration re <u>53</u> MOTION in Limine <i>to Exclude Evidence of DOT Proceedings and Consent Order</i> by American Airlines, Inc..(Fitzhugh, Michael) (Entered: 01/07/2007)
01/08/2007	●	Judge William G. Young : ORDER entered denying as moot <u>94</u> Motion in Limine, denying <u>95</u> Motion for Reconsideration (Smith, Bonnie) (Entered: 01/08/2007)
01/08/2007	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Attorneys Godkin and Fitzpatrick for the plaintiff and Fitzhugh for the defendant are present.hearing out of presence of the jury re: Motion to Reconsider and Motin in Limine. Both Motions are Denied.Jury Trial Day 2 held on 1/8/2007. Plaintiff's evidence continues. (Court Reporter Patrisso.) (Smith, Bonnie) (Entered: 01/09/2007)
01/09/2007	● <u>96</u>	<i>Bench Memorandum on Witness List To Be Called On It's Case In Chief</i> by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 01/09/2007)

01/09/2007	<u>97</u>	TRIAL BRIEF <i>Notice of Intent to Use Testimony of Witness</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/09/2007)
01/09/2007	<u>98</u>	Supplemental Proposed Jury Instructions by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 01/09/2007)
01/09/2007	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Jury Trial Day 3 held on 1/9/2007. Plaintiff's evidence continues. (Court Reporter Patrisso.) (Smith, Bonnie) (Entered: 01/11/2007)
01/10/2007	<u>99</u>	Supplemental Proposed Jury Instructions by John D. Cerqueira. (Godkin, David) (Entered: 01/10/2007)
01/10/2007	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Plaintiff counsel Godkin and Fitzpatrick and Defense counsel Fitzhugh are present. Jury Trial Day 4 held on 1/10/2007. Plaintiff's evidence continues. Plaintiff Rests. Defendant moves for judgment as matter of law. Motion Denied. Defense evidence commences. Defendant Rests. Hearing out of presence of the jury re: charge. Charge conference held. (Court Reporter Patrisso.) (Smith, Bonnie) (Entered: 01/11/2007)
01/10/2007	<u>103</u>	MOTION for Judgment as a Matter of Law at the Close of Plaintiff's Case by American Airlines, Inc..(Paine, Matthew) (Entered: 01/17/2007)
01/10/2007	●	Judge William G. Young : Electronic ORDER entered DENYING <u>103</u> Motion for Judgment as a Matter of Law. (Paine, Matthew) (Entered: 01/17/2007)
01/11/2007	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Plaintiff counsel Godkin and Fitzpatrick and Defense counsel Fitzhugh are present. Jury Trial Day 5 held on 1/11/2007. The Court charges the jury as to the law. Closing arguments by defendant, by plaintiff. Jury commences deliberations. Jury questions, #2,#3,#4 asked and answered. Jury recesses to return Friday 1/12/07 at 9AM (Court Reporter Patrisso.) (Smith, Bonnie) (Entered: 01/12/2007)
01/12/2007	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Plaintiff counsel Godkin and Fitzpatrick and Defense counsel Fitzhugh are present. Jury Trial Day 6 held on 1/12/2007. Jury of 10 are present in the courtroom. jury continues deliberations. Jury questions #5,#6 asked and

		answered. Jury returns verdict for the plaintiff in the amount of \$400,000. (Court Reporter Patrisso.) (Smith, Bonnie) (Entered: 01/16/2007)
01/16/2007	●100	JURY VERDICT in favor of Plaintiff against Defendant. (Smith, Bonnie) (Entered: 01/16/2007)
01/16/2007	●101	Exhibit / Witness List. (Smith, Bonnie) (Entered: 01/16/2007)
01/16/2007	●102	Judge William G. Young : ORDER entered. JUDGMENT in favor of Plaintiff against Defendant(Smith, Bonnie) (Entered: 01/16/2007)
01/17/2007	●104	TRANSCRIPT of Proceedings held on 1/11/07 before Judge Young. Court Reporter: Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith, Bonnie) (Entered: 01/17/2007)
01/17/2007	●105	TRANSCRIPT of Proceedings held on 1/12/07 before Judge Young. Court Reporter: Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith, Bonnie) (Entered: 01/17/2007)
01/18/2007	●106	TRANSCRIPT of Proceedings held on 1/10/07 before Judge Young. Court Reporter: Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith, Bonnie) (Entered: 01/18/2007)
01/18/2007	●107	TRANSCRIPT of Proceedings held on 1/11/07 before Judge Young. Court Reporter: Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith, Bonnie) (Entered: 01/18/2007)
01/22/2007	●108	Assented to MOTION for Leave to File Excess Pages <i>and For Extension of Time Up To and Including February 2, 2007 to File Defendant's Post-Trial Motions</i> by American Airlines, Inc..(Fitzhugh, Michael) (Entered: 01/22/2007)
01/23/2007	●109	TRANSCRIPT of Proceedings(Closing Arguments of Kirkpatrick) held on 1/11/07 before Judge Young. Court Reporter: Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith,

		Bonnie) (Entered: 01/23/2007)
01/23/2007	●	Judge William G. Young : Electronic ORDER entered DENYING re <u>108</u> Assented to MOTION for Leave to File Excess Pages and For Extension of Time Up To and Including February 2, 2007 to File Defendant's Post-Trial Motions (Paine, Matthew) (Entered: 01/23/2007)
01/29/2007	● <u>110</u>	TRANSCRIPT of Proceedings held on 1/11/07 before Judge Young. Court Reporter: Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith, Bonnie) (Entered: 01/29/2007)
01/30/2007	● <u>111</u>	MOTION for Attorney Fees <i>And Costs</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	● <u>112</u>	MEMORANDUM in Support re <u>111</u> MOTION for Attorney Fees <i>And Costs</i> filed by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	● <u>113</u>	DECLARATION re <u>111</u> MOTION for Attorney Fees <i>And Costs Of David S. Godkin</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Godkin, David) (Entered: 01/30/2007)
01/30/2007	● <u>114</u>	DECLARATION re <u>111</u> MOTION for Attorney Fees <i>And Costs Michael T. Kirkpatrick</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5)(Godkin, David) (Entered: 01/30/2007)
01/30/2007	● <u>115</u>	DECLARATION re <u>111</u> MOTION for Attorney Fees <i>And Costs Joseph M. Sellers</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	● <u>116</u>	DECLARATION re <u>111</u> MOTION for Attorney Fees <i>And Costs Robert S. Libman</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	● <u>117</u>	DECLARATION re <u>111</u> MOTION for Attorney Fees <i>And Costs Benjamin Blustein</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	● <u>118</u>	DECLARATION re <u>111</u> MOTION for Attorney Fees <i>And Costs Brian Wolfman</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	● <u>119</u>	DECLARATION re <u>111</u> MOTION for Attorney Fees <i>And</i>

		<i>Costs Howard Friedman</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	●120	AFFIDAVIT of Scott P. Lewis re <u>111</u> MOTION for Attorney Fees <i>And Costs</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	●121	AFFIDAVIT of Joseph F. Savage, Jr. re <u>111</u> MOTION for Attorney Fees <i>And Costs</i> by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/30/2007	●122	MOTION for Judgment NOV by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 01/30/2007)
01/30/2007	●123	MEMORANDUM in Support re <u>122</u> MOTION for Judgment NOV filed by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 01/30/2007)
01/30/2007	●124	MOTION for New Trial <i>Or In the Alternative For Remittitur</i> by American Airlines, Inc..(Fitzhugh, Michael) (Entered: 01/30/2007)
01/30/2007	●125	MEMORANDUM in Support re <u>124</u> MOTION for New Trial <i>Or In the Alternative For Remittitur</i> filed by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 01/30/2007)
01/30/2007	●126	BILL OF COSTS by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(Godkin, David) (Entered: 01/30/2007)
01/30/2007	●127	AFFIDAVIT of David S. Godkin re <u>126</u> Bill of Costs by John D. Cerqueira. (Godkin, David) (Entered: 01/30/2007)
01/31/2007	●	ELECTRONIC NOTICE issued requesting courtesy copy for <u>121</u> Affidavit, <u>125</u> Memorandum in Support of Motion, <u>124</u> MOTION for New Trial <i>Or In the Alternative For Remittitur</i> , <u>114</u> Declaration, <u>118</u> Declaration, <u>126</u> Bill of Costs, <u>120</u> Affidavit, <u>113</u> Declaration, <u>117</u> Declaration, <u>115</u> Declaration, <u>111</u> MOTION for Attorney Fees <i>And Costs</i> , <u>122</u> MOTION for Judgment NOV, <u>123</u> Memorandum in Support of Motion, <u>127</u> Affidavit, <u>119</u> Declaration, <u>116</u> Declaration, <u>112</u> Memorandum in Support of Motion. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF. (Paine, Matthew) (Entered: 01/31/2007)

02/05/2007	●	ELECTRONIC NOTICE of Hearing on Motion <u>122</u> MOTION for Judgment NOV, <u>124</u> MOTION for New Trial <i>Or In the Alternative For Remittitur</i> : Motion Hearing set for 2/27/2007 02:00 PM before Judge William G. Young. The hearing will take place at BOSTON UNIVERSITY LAW SCHOOL, 765 COMMONWELATH AVE., 6TH FLOOR, BOSTON, MA. Opposition to the motions are due by 2/13/07. Reply brief, if any, is due by 2/20/07.(Smith, Bonnie) (Entered: 02/05/2007)
02/05/2007	● <u>128</u>	TRANSCRIPT of Proceedings held on 1/10/07 before Judge Young. Court Reporter: Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Smith, Bonnie) (Entered: 02/05/2007)
02/12/2007	● <u>129</u>	Opposition re <u>111</u> MOTION for Attorney Fees <i>And Costs</i> filed by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 02/12/2007)
02/13/2007	● <u>130</u>	MEMORANDUM in Opposition re <u>122</u> MOTION for Judgment NOV filed by John D. Cerqueira. (Kirkpatrick, Michael) (Entered: 02/13/2007)
02/13/2007	● <u>131</u>	MEMORANDUM in Opposition re <u>124</u> MOTION for New Trial <i>Or In the Alternative For Remittitur</i> filed by John D. Cerqueira. (Kirkpatrick, Michael) (Entered: 02/13/2007)
02/20/2007	● <u>132</u>	REPLY to Response to Motion re <u>124</u> MOTION for New Trial <i>Or In the Alternative For Remittitur</i> , <u>122</u> MOTION for Judgment NOV filed by American Airlines, Inc.. (Attachments: # <u>1</u> Exhibit A)(Fitzhugh, Michael) (Entered: 02/20/2007)
02/20/2007	● <u>133</u>	MOTION for Leave to File <i>a Reply Brief in Support of Plaintiff's Motion for Attorneys' Fees and Costs</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit 1)(Godkin, David) (Entered: 02/20/2007)
02/20/2007	● <u>134</u>	AFFIDAVIT of David S. Godkin re <u>133</u> MOTION for Leave to File <i>a Reply Brief in Support of Plaintiff's Motion for Attorneys' Fees and Costs</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit A)(Godkin, David) (Entered: 02/20/2007)
02/21/2007	●	Judge William G. Young : Electronic ORDER entered granting <u>133</u> MOTION for Leave to File a Reply Brief in

		Support of Plaintiff's Motion for Attorneys' Fees and Costs; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Paine, Matthew) (Entered: 02/21/2007)
02/21/2007	●135	REPLY to Response to Motion re <u>111</u> MOTION for Attorney Fees <i>And Costs</i> filed by John D. Cerqueira. (Godkin, David) (Entered: 02/21/2007)
02/26/2007	●136	Supplemental MOTION for Judgment NOV <i>In Light of Recent U.S. Supreme Court Ruling in Phillip Morris v. Williams</i> by American Airlines, Inc..(Fitzhugh, Michael) (Entered: 02/26/2007)
02/26/2007	●137	MEMORANDUM in Support re <u>136</u> Supplemental MOTION for Judgment NOV <i>In Light of Recent U.S. Supreme Court Ruling in Phillip Morris v. Williams</i> filed by American Airlines, Inc.. (Fitzhugh, Michael) (Entered: 02/26/2007)
02/27/2007	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Attorneys Fitzpatrick and Fitzhugh are present.Motion Hearing held on 2/27/2007 re <u>124</u> MOTION for New Trial <i>Or In the Alternative For Remittitur</i> filed by American Airlines, Inc.,, <u>122</u> MOTION for Judgment NOV filed by American Airlines, Inc.,.AFTER HEARING the Motion for JNOV is Denied. The Court takes UNDER ADVISEMENT the Motion for New Trial. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 02/28/2007)
03/01/2007	●138	BILL OF COSTS <i>Amended</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4)(Godkin, David) (Entered: 03/01/2007)
03/01/2007	●139	AFFIDAVIT of David S. Godkin re <u>138</u> Bill of Costs <i>Verifying Amended Bill of Costs</i> by John D. Cerqueira. (Godkin, David) (Entered: 03/01/2007)
03/02/2007	●140	Supplemental MOTION for Attorney Fees <i>And Costs</i> by John D. Cerqueira.(Godkin, David) (Entered: 03/02/2007)
03/02/2007	●141	MEMORANDUM in Support re <u>140</u> Supplemental MOTION for Attorney Fees <i>And Costs</i> filed by John D. Cerqueira. (Godkin, David) (Entered: 03/02/2007)

03/02/2007	<u>142</u>	DECLARATION re <u>140</u> Supplemental MOTION for Attorney Fees <i>And Costs of David S. Godkin</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit A)(Godkin, David) (Entered: 03/02/2007)
03/02/2007	<u>143</u>	DECLARATION re <u>140</u> Supplemental MOTION for Attorney Fees <i>And Costs of Michael T. Kirkpatrick</i> by John D. Cerqueira. (Attachments: # <u>1</u> Exhibit 1)(Godkin, David) (Entered: 03/02/2007)
04/09/2007	<u>144</u>	Judge William G. Young : ORDER entered. MEMORANDUM AND ORDER: "The Court Finds No Error In This Case and So Orders That American's Motion For A New Trial and Remittitur Doc. No. <u>124</u> be DENIED." (Paine, Matthew) (Entered: 04/09/2007)
04/12/2007	<u>145</u>	Judge William G. Young : ORDER entered. MEMORANDUM AND ORDER "Cerqueira's Motion for Attorneys' Fees and Cost Doc. No. <u>111</u> and Supplemental Motion for Attorney's Fees and Cost Doc. No. <u>140</u> are ALLOWED In Accordance With The Following Awards: \$289,627.50 In Attorneys' Fees, \$10,526.32 In Taxable Costs, And \$13,570.33 In Non-Taxable Costs. The Total Award For Fees And Cost Equals \$313,724.15." (Paine, Matthew) (Entered: 04/12/2007)
05/07/2007	<u>146</u>	<i>Defendant's</i> NOTICE OF APPEAL by American Airlines, Inc. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 5/28/2007. (Fitzhugh, Michael) (Entered: 05/07/2007)
05/07/2007		Filing fee: \$ 455.00, receipt number 79921 for <u>146</u> Notice of Appeal. (Paine, Matthew) (Entered: 05/08/2007)
05/16/2007	<u>147</u>	TRANSCRIPT ORDER FORM by American Airlines, Inc. for proceedings held on 1/3/07, 1/8/07-1/12/07 before Judge Young, re <u>146</u> Notice of Appeal, Transcript due by 5/28/2007. (Fitzhugh, Michael) (Entered: 05/16/2007)
05/22/2007	<u>148</u>	TRANSCRIPT of Jury Trial Day One held on January 3, 2007 before Judge Young. Court Reporter: Marcia G. Patrisso. The original transcripts are maintained in the case file in the Clerk's

		Office. Copies may be obtained by contacting the court reporter at 617/737-8728 or the Clerk's Office. (Scalfani, Deborah) (Entered: 05/22/2007)
05/22/2007	●149	TRANSCRIPT of Jury Trial Day Two held on January 8, 2007 before Judge Young. Court Reporter: Marcia G. Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/737-8728 or the Clerk's Office. (Scalfani, Deborah) (Entered: 05/22/2007)
05/22/2007	●150	TRANSCRIPT of Jury Trial Day Three held on January 9, 2007 before Judge Young. Court Reporter: Marcia G. Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter 617/737-8728 or the Clerk's Office. (Scalfani, Deborah) (Entered: 05/22/2007)
05/22/2007	●151	TRANSCRIPT of Jury trial Day Four held on January 10, 2007 before Judge Young. Court Reporter: Marcia G. Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter 617/737-8728 or the Clerk's Office. (Scalfani, Deborah) (Entered: 05/22/2007)
05/22/2007	●152	TRANSCRIPT of Jury Trial Day Five held on January 11, 2007 before Judge Young. Court Reporter: Marcia G. Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter 617/737-8728 or the Clerk's Office. (Scalfani, Deborah) (Entered: 05/22/2007)
05/22/2007	●153	TRANSCRIPT of Jury Trial Day Six held on January 12, 2007 before Judge Young. Court Reporter: Marcia G. Patrisso. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter 617/737-8728 or the Clerk's Office. (Scalfani, Deborah) (Entered: 05/22/2007)